

S.B. Criminal Misc. II Bail Application No.52/2007

Date : 08.01.2007

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. J.S. Choudhary for the applicant.

Mr. V.R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Learned counsel for the applicant submits that though first bail application was rejected but the change circumstance is that the applicant has not been charge-sheeted under Section 302 IPC and he has been involved on the basis of conspiracy hatched under Section 120B IPC. He further submits that other co-accused who are responsible for hatching conspiracy have already been enlarged on bail by this Court.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me.

Without expressing any opinion on the merit of the case while taking into consideration the overall facts and circumstances of the present case and the fact that the co-accused responsible for hatching conspiracy have been granted bail by this Court, I deem it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that applicant Madan Lal s/o Multan Ram shall be released on bail in CR No.7/2006 P.S. Khatu Badi, Nagaur, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.